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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,423	12/06/2001	Kevin W. Jameson		5420
29684	7590	09/08/2004		
			EXAMINER	
			BAUTISTA, XIOMARA L	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/003,423	KEVIN W. JAMESON	
<b>Examiner</b>	<b>Art Unit</b>		
X L Bautista	2179		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 06 December 2001.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-42 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-42 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 06 December 2001 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(e)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) ✓  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

## DETAILED ACTION

### ***Specification***

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases, which can be implied, such as, "The

disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1-2, 13, 14, and 16 (line 5), claims 3 and 17 (line 4), claim 12 (line 7), claim 15 (line 6), and claim 29 (line 6), the limitation "providing a solution to the

Collection Role Changing GUI Problem" lacks proper antecedent basis.

As per claims 4, 18, and 32 (lines 5-6), claims 5-8, 19-22, and 33-36 (lines 4-5), the limitation "helping to solve the Collection Role Changing GUI Problem, and the Customized Role Problem, and the Sharable Role Problem, and the Scalable Role Storage Problem" lack proper antecedent basis.

As per claims 9-11, 23-25, and 37-39 (line 4), the limitation "solving the Role Focus Variable Problem" lacks proper antecedent basis.

As per claims 26-28, 30, 31, and 40-42 (lines 7, 5, 5, 5, 4, 7, 5, 5, respectively), the limitation "helping to solve the Collection Role Changing GUI Problem" lacks proper antecedent basis.

#### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**7. Claims 1-42 are rejected under 35 U.S.C. 102(e) as being anticipated by *Sobeski et al (US 6,633,315 B1)*.**

Claims 1, 15, and 29:

Sobeski discloses a system for building context-based user interfaces. The system has a contextual engine for providing a user interface based on a predefined set of (UI) elements that are selected on the bases of a set of prescribed conditions being satisfied. When the set of prescribed conditions that define the context are satisfied, a user interface is provided based on the predefined UI elements associated with the context. Sobeski teaches that the user interface provided to the user is determined by the context of the current user experience. The context of the user experience can be based on, for example, the role the user is playing at a particular time or on a particular day, or the current location of the user (abstract; col. 1, lines 50-63; col. 2, lines 1-38; col. 3, lines 3-6, 15-19). Sobeski teaches computer-executable instructions (software) such as program modules, which include routines, programs, objects, components, data structures, etc., (col. 3, lines 65-67; col. 4, lines 1-18).

Claims 2, 16, and 30:

See claim 1. Sobeski teaches that the system receives notification of role changes from human operators, contextual engine (GUI programs), prescribed

conditions, external programs (figs. 1-3; col. 7, lines 42-67; col. 8, lines 1-43).

Claims 3, 17, and 31:

See claim 1. Sobeski teaches identification of roles (col. 7, lines 42-67).

Claims 4-8, 18-22, and 32-36:

See claim 1. Sobeski teaches performing a role change in response to a role identifier or role definition data (col. 7, lines 42-67; col. 8, lines 1-43). Sobeski teaches a context-sensitive adaptive data storage to perform a role change response (fig. 2; col. 5, lines 38-67; col. 6, lines 1-67; col. 7, lines 1-67; col. 8, lines 1-43).

Claims 9-11, 23-25, and 37-39:

See claim 4. Sobeski teaches that a new user interface is built from the UI elements that the contextual engine identifies based on the context of the current user experience (col. 6, lines 8-15). The context of the user experience can be based on the role the user is playing (for example) at a particular time or on a particular day, or the current location of the user (abstract; col. 1, lines 50-63; col. 2, lines 1-38; col. 3, lines 3-6, 15-19).

Claims 12-14, 26-28, and 40-42:

See claim 9. Sobeski teaches that the UI elements including such information as user preferences, favorites lists, toolbars, default directories, etc. Each of the UI elements corresponds to predefined contexts. When the user logs in, the contextual engine determines the context of the current experience and provides a UI built from the UI elements associated with that context (col. 2, lines 9-19; col. 7, lines 18-41).

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on Monday-Thursday (8:00-18:00), Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11. Check the following information if further assistance is needed.

<http://www.uspto.gov/web/offices/pac/dapp/pacmain.html>

**Telephone Numbers**

**800-PTO-9199**

**(800-786-9199)**

**703-308-HELP**

**(703-308-4357)**

**Hours of Operation**

**Monday - Friday**

**8:30 AM - 5:00 PM (EST)**



X L Bautista  
Patent Examiner  
Art Unit 2179

xlb  
02 September 2004